

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TRAVIS BUTLER,	)	
	)	Civil Action No. 08 - 1594
Petitioner,	)	
	)	District Judge Arthur J. Schwab
v.	)	
	)	
RANDELL BRITTON; THE ATTORNEY	)	
GENERAL OF THE STATE OF	)	
PENNSYLVANIA, and THE DISTRICT	)	
ATTORNEY OF COUNTY OF ALLEGHENY	)	
	)	
Respondents.	)	

**ORDER**

On November 19, 2008, the above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* accompanied by a Petition for Writ of Habeas Corpus and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation filed on August 11, 2010 (ECF No. 17) recommended that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. Petitioner was served with the Report and Recommendation at his current place of incarceration in Virginia and was advised he was allowed fourteen (14) days to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 10<sup>th</sup> day of September, 2010;

**IT IS HEREBY ORDERED** that the Petition for Writ of Habeas Corpus is **DENIED**.

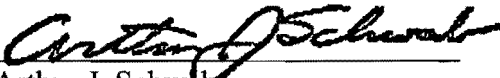
**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 17) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

  
Arthur J. Schwab  
United States District Judge

cc: Travis Butler  
Inmate No. 1424713  
Green Rock Correctional Center  
475 Green Rock Lane  
Chatham, Virginia 24531